Remarks

The pending office action has been made final by the Examiner. The Examiner stated that applicants' amendment necessitated the new grounds of rejection, and that it was thus appropriate to make this action final. Applicants respectfully disagree. Applicants note that not all the claims on file were amended after the first office action. Particularly, claims 36-37 were not amended in the previously filed amendment. Because these claims were not amended, and the Examiner has nevertheless issued new rejections, the pending office action should not have been made final. See 37 C.F.R. 1.113 and MPEP § 706.07. Applicant therefore requests reconsideration and requests that the finality of the rejection be withdrawn as premature.

Claims 1-37 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Foley, *et al.* (U.S. Patent No., hereinafter "Foley"). As to claim 1, the Examiner stated the Foley teaches a computer program or Java program residing in the memory, said computer program dynamically prompting a user to select which of said plurality of page components or web documents to download when downloading a file referencing the plurality of page components.

Applicants have amended Claim 1 to further distinguish over the cited art and submit that the amended claim is patentably distinct over the cited art. In particular, amended Claim 1 recites a "a computer program downloading a web page file **comprising text portions** and a plurality of page component references, the computer program **displaying the text portions of the web page file**, and the computer program dynamically prompting a user to select which of a plurality of page components associated with the plurality of page component references to **download and integrate into the displayed text portions of the web page file**." Applicants submit that the Foley reference does not disclose a computer program as claimed.

In particular, Foley does not disclose a computer program that **integrates** the **page components** that it downloads into the displayed text portions of the web page file. Instead of integrating any of the components further into display shown to the user, who selects these components, Foley merely downloads the selected components. Nor are the components that Foley downloads page components, according to applicant's specification, Page 7, Lines 12-17. By contrast, what Foley downloads are projects organized into a portfolio. Foley's project components are programming tools stored in a remote directory, and there is no integration of the programming tools downloaded. Because of this, the purpose of why Foley's users select a project component differs fundamentally from the purpose of why applicant's users select a page component. Whereas Foley's users select a project component to make it available as a local programming tool, applicant's users select a page component to integrate it into the displayed web page. That is, Foley is directed to a software development and file management system that allows users to assemble programs from a diversely distributed selection of components and facilitates, if necessary, their importation using a web browser (Column 2, Lines 29-46). Because there is no integration of Foley's downloaded components into the users' display, applicant respectfully submits that the Foley reference does not disclose a computer program that dynamically prompts a user to select which "**page components**" of a file to download **and integrate** as claimed.

Thus, applicants submit that Claim 1 is patentably distinct over the cited references. Since independent Claims 13, 24, 36, and 37 include similar limitations, they are also submitted to be patentably distinct over the cited reference. Likewise, as claims 2-12, 14-23, and 25-35 depend from and include all the limitations of claims 1 13, and 24 respectively, they are also submitted to be patentably distinct over the cited references.

As to claims 2 and 3, the Examiner stated that Foley teaches a computer program comprising a web browser application, and file comprising an HTML document. Applicants submit that the Foley reference does not disclose a web browser as claimed. In particular,

Foley discloses a web "browser that provides all the features of a conventional web browser" (Column 4, Lines 60-61). Foley disclosed "web document includes two elements: a title and a set of references to its components" (Column 5, Lines 8-12). When Foley's web browser "retrieves the web document linked to a selected icon, it automatically will pull in and begin executing the referenced applet (Column 5, Lines 23-26). Thus, Foley discloses the features of the conventional web browser: **automatic download and integration of web page components**. By contrast, applicant's web browser displays the text portions of the web page file, then **dynamically prompts the user to select which page components to download and integrate** into the displayed web page.
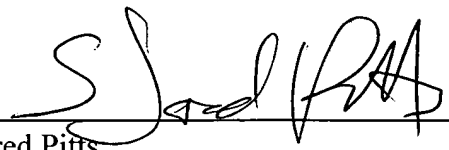
Thus, applicant submits that Foley teaches away from what applicant claims, and submits that Claims 2 and 3 are patentably distinct over the cited references. Since Claims 14, 28, and 31 include similar limitations, they are also submitted to be patentably distinct over the cited reference.

In summary, none of the references cited by the Examiner nor any other known prior art, either alone or in combination, disclose the unique combination of features disclosed in applicant's claims presently on file. For this reason, allowance of all of applicant's claims is respectfully solicited.

Applicants hereby declare that any amendments herein that are not specifically made for the purpose of patentability are made for other purposes, such as clarification, and that no such changes shall be construed as limiting the scope of the claims or the application of the Doctrine of Equivalents.

If any fees are due as a result of this response, please charge IBM Corporation Deposit Account 09-0465. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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